

**U S Army Corps  
of Engineers**  
Huntington District

# Public Notice

In reply refer to Public Notice No.

**LRH-2007-499-TUS**

Issuance Date:

**December 19, 2007**

Stream:

Closing Date:

**U/Ts Crooked and Stillwater Creek**

**January 18, 2007**

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Huntington District

**ATTN: CELRH-OR-E** Public Notice No. (reference above)

502 Eighth Street

Huntington, West Virginia 25701-2070

Phone: (304) 399-5710

**PUBLIC NOTICE:** The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

**REGULATORY PROGRAM:** Since its early history, the United States Army Corps of Engineers (Corps) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the Corps Regulatory Program.

**SECTION 10:** The Corps is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition or capacity of navigable waters of the United States. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

**SECTION 404:** The Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

**TO WHOM IT MAY CONCERN:** The following application has been submitted for a Department of the Army Permit under the provisions of Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the Ohio Environmental Protection Agency (OEPA) to act on Section 401 Water Quality Certification for the following application.

**APPLICANT:** Oxford Mining Company, Inc.  
P.O. Box 427  
Coshocton, Ohio 43812

**LOCATION:** The Page Area is located in Sections 2, 3, 8 and 9 of Rush Township and Lots 1, 2, 3, 4, 7, 8, 9, 12, 13, and 14 of Rush Township, in Tuscarawas County, Ohio (*as depicted in the attached Exhibit No. 1 as well as on the Gnadenhutten and Tippecanoe USGS Topographic Quadrangles at Lat: 40°20'29.7" and Lon: 81°22'28.5"*).

**DESCRIPTION OF THE PROPOSED WORK:** The applicant requests authorization to discharge dredged and/or fill material into waters of the United States to facilitate the removal of coal at their Page Mine Site. This project would involve the extraction of coal reserves within the Upper Freeport (#7) Coal Seam by the contour surface mining/box cut method. The first cut(s) on this project would be cast into an un-reclaimed (pre-law) mine pit(s). As the contour mining progresses, block cuts are made and the overburden that is removed is utilized as backfill for the preceding cut areas. The maximum overburden thickness is estimated to be 70-80 feet. Once the final highwall is exposed a conventional auger is utilized to recover additional reserves. The applicant has proposed to eliminate all of the pre-law highwalls within the permit area. In addition, all areas not impacted by pre-law mining would be reclaimed to approximate original contour.

In accordance with our verification, dated September 10, 2007, of jurisdictional waters delineated, this site includes: 23,872 linear feet within 39 intermittent streams, 12,535 linear feet within 39 ephemeral streams and 1.46 acres within twelve individual wetlands. Surface waters from the review area drain into unnamed tributaries of Crooked and/or Stillwater Creek, which are tributaries of the Tuscarawas River. The Tuscarawas River is a navigable water of the United States.

Implementation of the proposed mining activities would involve impacts to a total of 24,878 linear feet (or 0.943-acre) of streams, 0.69-acre of wetlands and 2.23 acres of open waters, which are considered jurisdictional waters of the United States (reference the attached Exhibit Nos. 2-15). The above-mentioned impacts would result from the proposed discharge, excavation and, construction of sediment impoundments and transport corridors.

**ALTERNATIVE ANALYSIS:** The project is not water dependent and does not require access to or siting within waters of the United States to fulfill its basic purpose. Practicable alternatives that do not involve waters of the United States are presumed to be available unless clearly demonstrated otherwise. The applicant is required to provide an alternative analysis that must overcome that presumption prior to receiving authorization for the placement of fill material. The applicant has submitted the required alternative analysis and it is currently being reviewed.

**MITIGATION PLAN:** The applicant has provided a compensatory mitigation plan (CMP) to offset the unavoidable impacts to jurisdictional waters of the United States, which are regulated by the Department of the Army, Corps of Engineers. The existing pre-law highwalls would be backfilled and the remaining areas would be returned to approximate original contour. The CMP

proposes the creation of 1.03 acres of scrub-shrub wetlands and restoration of 24,428 linear feet (or 0.933-acre) of streams.

**WATER QUALITY CERTIFICATION:** Pursuant to Section 401 of the Clean Water Act, a Water Quality Certification is required for this project. It is the applicant's responsibility to obtain certification from the OEPA.

**HISTORIC AND CULTURAL RESOURCES:** The National Register of Historic Places (NRHP) has been consulted and no properties are currently listed on the register in the area affected by the project. This public notice serves as coordination with the State Historic Preservation Office for their review regarding historic properties. Comments concerning archaeological sensitivity of a project area should be based upon collected data.

**ENDANGERED/THREATENED SPECIES REVIEW:** This public notice also serves as coordination with the United States Fish and Wildlife Service (USFWS) regarding threatened or endangered species. The proposed project lies within the distribution range of the endangered Indiana bat (*Myotis sodalis*).

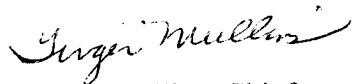
The Huntington District has consulted the most recently available information and has determined the project is not likely to affect the continued existence of any endangered or threatened species, or result in the destruction or adverse modification of habitat of such species that has been determined to be critical. This public notice serves as a request to the USFWS for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area that would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

**PUBLIC INTEREST REVIEW AND COMMENT:** Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity. Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; of those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. Any person may submit cumulative impact information, which is substantive and specifically associated with the proposed action. In addition, the evaluation of the impact of the activity on the public interest

will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

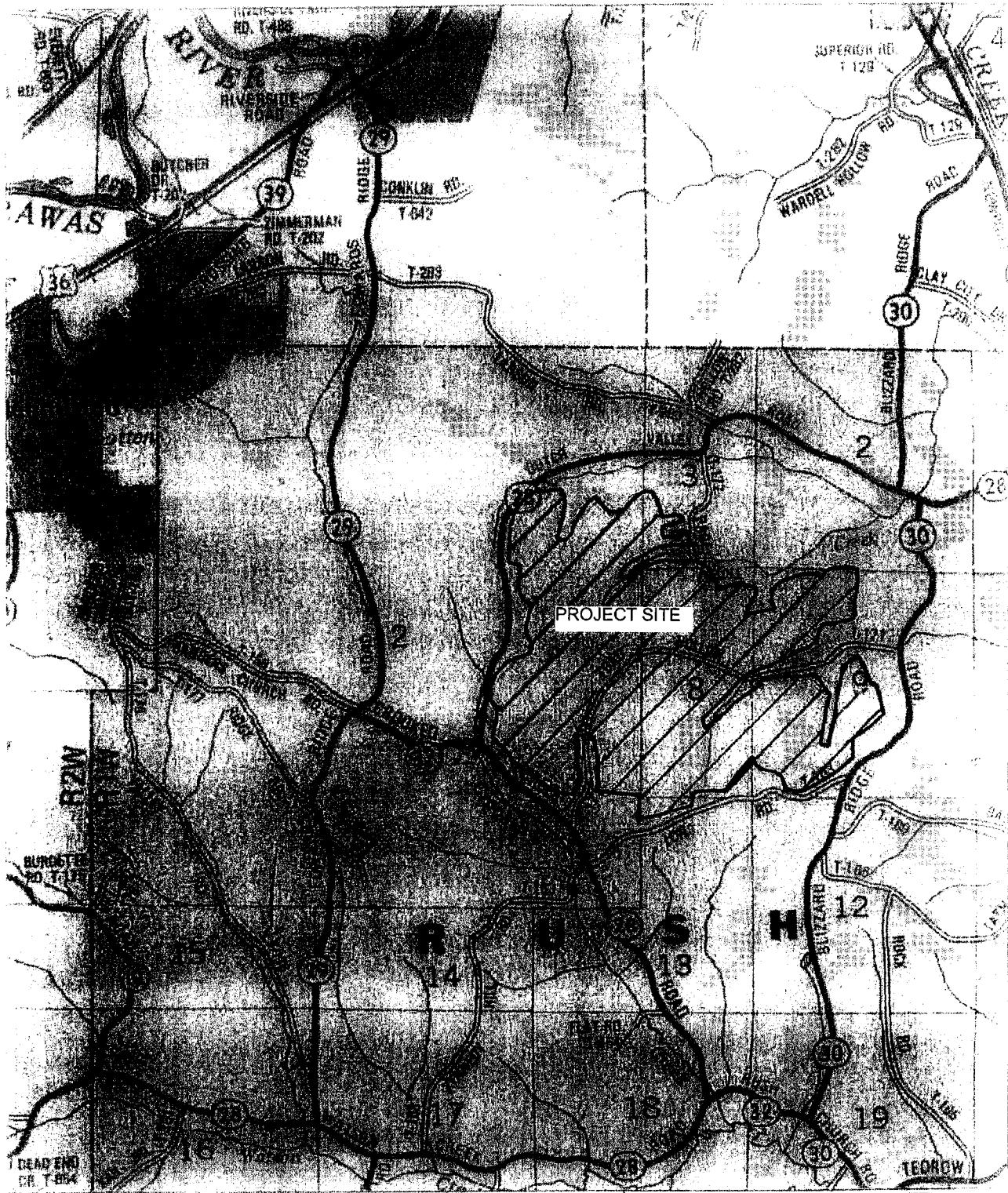
**SOLICITATION OF COMMENTS:** The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. For accuracy and completeness of the administrative record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**CLOSE OF COMMENT PERIOD:** All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to Mr. Michael Hatten, Project Manager, South Regulatory Section, CELRH-OR-FS, United States Army Corps of Engineers Huntington District, 502 Eighth Street, Huntington, West Virginia 25701-2070. Please note names and addresses of those who submit comments in response to this public notice may be made publicly available. Thank you for your interest in our nation's water resources. If you have any questions concerning this public notice, please call Mr. Michael Hatten at (304) 399-5710.



Ginger Mullins, Chief  
Regulatory Branch

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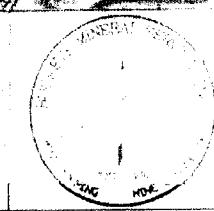


LOCATION MAP  
PAGE

OXFORD MINING COMPANY, INC.

Scale: 1 mile = 1.6 km

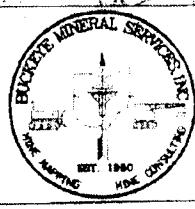
Scale: 1 km = .6 miles



USACE PN No. LRH-2007-499-TUS (ODNR Permit No. 10372)  
Oxford Mining Company, Inc. (Page Surface Mine)  
Exhibit No. 1 of 13



<b>LOCATION MAP</b>		DATE 11/15/05	SCALE = NTS
PROJECT NAME <b>PAGE</b>		NOTES: DELINEATION LIMITS <input type="text"/>	
COMPANY NAME	<b>OXFORD MINING COMPANY, INC.</b>		



USACE PN No. LRH-2007-499-TUS (ODNR Permit No. 10372)  
Oxford Mining Company, Inc. (Page Surface Mine)  
Exhibit No. 2 of 13

**TABLE 1 - STREAM IMPACT/AVOIDANCE SUMMARY TABLE - Intermittent/Perennial Streams**

				PREFERRED ALTERNATIVE			MINIMAL DEGRADATION ALTERNATIVE		
Stream Segment	QHEI	Proposed Impact	Stream Impacts as listed in BZXR Part 1	Stationing	Impacted Length	Impacted Acres	Stationing	Impacted Length	Impacted Acres
G	STREAM A 41	No Impacts; Auger Only	I	16+10 to 14+7.5				135	
		Coal Removal	H	14+7.5 to 9+9.9	476	0.016			
		Mine Runoff Transport	E	9+9.9 to 7+*10	289	0.010			
		TSD	DD	7+10 to 9+60	50	0.002			
		TDD (BZ only)	D	6+60 to 0+00			660		
		No Impacts Proposed							
		Temporary Pond 019 (BZ only)	B						
		TOTALS					815	0.028	795
		No Impacts; Auger Only	I	2+36 to 0+00					236
		Coal Removal (BZ only)	G						
		TOTALS			0	0.000		236	0
G	STREAM B 41	No Impacts; Auger Only (BZ only)	I	22+79 to 19+82					
		Coal Removal	H	19+92 to 18+55	137	0.006			
		Mine Runoff Transport	E	18+55 to 16+10	245	0.011			
		TSD	DD	16+10 to 15+60	50	0.002			
		No Impacts Proposed		15+60 to 6+00			960		
		TDD (BZ only)	D	6+00 to 0+95	505	0.023			
		Temporary Pond 019	B	0+95 to 0+70				25	
		No Impacts Proposed							
		TOTALS			937	0.043	985	1922	0
		Coal Removal (BZ only)	G						
E	STREAM C 46	Mine Runoff Transport	E	8+39 to 4+61	378	0.017			
		TDD (BZ only)	D	5+00 to 4+50	50	0.002			
		TSD	DD	4+50 to 0+93			357		
		No Impacts Proposed							0
		TOTALS			428	0.020	357	785	0
		Coal Removal (BZ only)	G	6+98 to 5+46	153	0.007			
		Coal Removal	H	5+46 to 4+00	446	0.020			
		Mine Runoff Transport	E	1+00 to 0+00	100	0.005			
		Temporary Pond 014	B						
		TDD (BZ only)	D						
C	STREAM D M 43	TOTALS			659	0.032	0	659	0
		Coal Removal (BZ only)	G						
		Mine Runoff Transport	E	2+02 to 0+00	202	0.007			
		Temporary Pond 005 (BZ only)	B						
		TOTALS			202	0.007	0	202	0
		Coal Removal	H	31+21 to 28+60	261	0.012			
		Mine Runoff Transport	E	28+60 to 25+40	320	0.015			
		TSD	DD	23+40 to 24+90	50	0.002			
		Temporary Pond 014	B	20+50 to 16+44	416	0.019			
		No Impacts Proposed		16+44 to 16+22			22		
E	STREAM E 46	TOTALS			1147	0.053	22	1169	0
		Haul Road (in channel & BZ affectment)	F	1+34 to 0+34	100	0.005			
		TOTALS							
		Removal of WD-2	M						
		Coal Removal (BZ only)	G						
		Coal Removal	H	9+60 to 2+18	742	0.034			
		TDD (BZ only)	D						
		TSD	DD	2+29 to 1+79	50	0.002			
		No Impacts Proposed		1+79 to 1+00			79	0.036	79
		TOTALS			792	0.000	0	0.000	0
H	STREAM F 32								

USACE PN No. LRR-2007-499-TUS (ODNR Permit No. 10372)  
Oxford Mining Company, Inc. (Page Surface Mine)  
Exhibit No. 3 of 13

**TABLE 1 - STREAM IMPACT/AVOIDANCE SUMMARY TABLE - Intermittent/Perennial Streams**

Watershed Number	Stream Segment	QHEI	Proposed Impact	PREFERRED ALTERNATIVE				MINIMAL DEGRADATION ALTERNATIVE				
				Stream Impacts as listed in B2VR Part 1		Stationing	Impacted Length	Stream Length Within Permit Limits with No Proposed Impacts		Stationing	Impacted Length	Impacted Acres
				Total Stream Length Within Permit Limits	Total Stream Length with Proposed Impacts							
H	STREAM G	18	Coal Removal (BZ only)	G								
			Coal Removal	H	5+51 to 3+91	160	0.009					
			Temporary Pond 020	B	3+91 to 1+42	249	0.014					
			TDD (BZ only)	D								
			No Impacts Proposed		1+42 to 1+22			22	431			
			<b>TOTALS</b>			409	0.023	22	431	0	0.000	
			No Impacts; Auger Only (BZ only)	I								
			Coal Removal (BZ only)	G	14+57 to 10+66	391	0.018					
			Coal Removal	H	0+66 to 7+73; 1+05 to 0+0	398	0.018					
			Mine Runoff Transport	E	7+73 to 7+23	50	0.002					
			TSD	DD				7+23 to 1+05	50	0.002		
			No Impacts Proposed		7+23 to 1+05			618		618		
			WN-1 Construction	N	1+05 to 0+00	105	0.005					
			TDD (BZ only)	D				1+05 to 0+00	105	0.005		
			Temporary Pond 021 (BZ only)	B								
			<b>TOTALS</b>			944	0.043	618	1562	944	0.043	
H	STREAM I	19	TDD (BZ only)	D								
			Temporary Pond 024	B	4+52 to 3+19	133	0.008					
			<b>TOTALS</b>			133	0.008	0	133	0.008	0	
			No Impacts; Auger Only (BZ only)	I								
			Coal Removal	H	11+78 to 7+47	431	0.025					
			Mine Runoff Transport	E	7+47 to 3+60	387	0.022					
			TDD (BZ only)	D								
			TSD	DD	3+60 to 2+90	50	0.003					
			Temporary Pond 017 (BZ only)	B								
			Temporary Pond 018 (BZ only)	B				200	200	200	1068	
			No Impacts Proposed		2+74 to 0+74							
			<b>TOTALS</b>			868	0.050			0	0.000	
F	STREAM K	45	Coal Removal	H	1+31 to 0+00	131	0.008					
			<b>TOTALS</b>			131	0.008	0	131	0	0	
			No Impacts; Auger Only	I	15+26 to 12+89							
			Coal Removal	H	12+89 to 8+37	452	0.026					
			Mine Runoff Transport	E	8+37 to 3+34	503	0.029					
			TDD (BZ only)	D	3+34 to 2+84	50	0.003					
			TSD	DD								
			Temporary Pond 016 (BZ only)	B	2+84 to 0+47			237				
			No Impacts Proposed									
			<b>TOTALS</b>			1005	0.058	474	1479	0	0.000	
F	STREAM M	45	Coal Removal (BZ only)	G								
			Mine Runoff Transport	E	6+15 to 1+37	478	0.027					
			TDD (BZ only)	D	1+37 to 0+87	50	0.003					
			TSD	DD								
			Temporary Pond 018 (BZ only)	B	0+87 to +37			50				
			No Impacts Proposed									
			<b>TOTALS</b>			528	0.030	50	578	0	0.000	

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Oxford Mining Company, Inc. (Page Surface Mine)  
Exhibit No. 4 of 13

**TABLE 1 - STREAM IMPACT/AVOIDANCE SUMMARY TABLE - Intermittent/Perennial Streams**

Watershed	Stream Segment	Q/HF	Proposed Impact	PREFERRED ALTERNATIVE			MINIMAL DEGRADATION ALTERNATIVE		
				Stationing	Impacted Length	Impacted Acres	Stationing	Impacted Length	Impacted Acres
I	STREAM O	45.5	Stream Impacts as listed in BZ/R Part 1				Total Stream Length Within Permit Limits	Total Stream Length Within Permit Limits	Total Stream Length Within Permit Limits
			Removal of WD-9 (BZ only)	1					
			No Impacts; Auger Only (BZ only)						
			Coal Removal	H	16+22 to 12+00	422	0.015	422	0.015
			Mine Runoff Transport	E	12+00 to 11+18	82	0.003	82	0.003
			Temporary Pond 028	B	11+18 to 1+58	960	0.033	960	0.033
			TDD (BZ only)	D					
			No Impacts Proposed		1+58 to 0+68	90		90	
			TOTALS			1464	0.050	1554	0.050
			TDD (BZ only)	D					
C	STREAM R	48	Coal Removal (BZ only)	G					
			TOTALS		0	0.000	0	0	0
			TDD (BZ only)	D					
			Coal Removal (BZ only)	G					
			TOTALS		0	0.000	0	0	0
			No Impacts; Auger Only (BZ only)	I					
			Coal Removal (BZ only)	G					
			Coal Removal	H	12+06 to 10+37	169	0.008		
			Mine Runoff Transport	E	10+37 to 4+39	598	0.027		
			Temporary Pond 005	B	4+39 to 1+27	312	0.014		
C	STREAM S1	31	TDD (BZ only)	D					
			No Impacts Proposed						
			TOTALS			127			
			TDD (BZ only)	D					
			TOTALS		0	0.000	0	0	0
			No Impacts; Auger Only (BZ only)	I					
			Coal Removal (BZ only)	G					
			Mine Runoff Transport	E	2+19 to 0+00	219	0.005	219	0.005
			TDD (BZ only)	D					
			TOTALS		219	0.005	0	219	0.005
D	STREAM S5	43	No Impacts; Auger Only (BZ only)	I					
			Coal Removal (BZ only)	G					
			Coal Removal	H	3+17 to 1+37	180	0.006	180	0.006
			Mine Runoff Transport	E	1+38 to 0+00	138	0.005	138	0.005
			TDD (BZ only)	D					
			TOTALS		318	0.011	0	318	0.011
			No Impacts; Auger Only (BZ only)	I					
			Coal Removal (BZ only)	G					
			Coal Removal	H	3+17 to 1+37	180	0.006	180	0.006
			Mine Runoff Transport	E	1+38 to 0+00	138	0.005	138	0.005
D	STREAM S6	47	TDD (BZ only)	D					
			TOTALS		318	0.011	0	318	0.011
			No Impacts; Auger Only (BZ only)	I					
			Coal Removal (BZ only)	G					
			Coal Removal	H	7+38 to 3+69	369	0.017	369	0.017
			Mine Runoff Transport	E					
			TDD (BZ only)	D					
			TOTALS		369	0.017	369	0.017	
			No Impacts Proposed						
			TOTALS		369	0.017	369	0.017	
D	STREAM S7	46.5	Coal Removal (BZ only)	G					
			Coal Removal (BZ only)	D	2+23 to 0+47	176	0.007	176	0.007
			Temporary Pond 009	B	0+47 to 0+31	176		176	
			No Impacts Proposed						
			TOTALS		176	0.007	16	176	0.007
			No Impacts Proposed						
			TOTALS		176	0.007	16	176	0.007
			No Impacts Proposed						
			TOTALS		622	0.029	40	622	0.029
			No Impacts Proposed						
C	STREAM T	43	Coal Removal (BZ only)	G					
			Coal Removal (BZ only)	E	4+44 to 0+00	444	0.025	444	0.025
			Mine Runoff Transport	E					
			TOTALS		444	0.025	0	444	0.025
			No Impacts Proposed						
			TOTALS		444	0.025	0	444	0.025
			No Impacts Proposed						
			TOTALS		444	0.025	0	444	0.025
			No Impacts Proposed						
			TOTALS		444	0.025	0	444	0.025

USACE PN No. LRH-2007-499-TUS (ODNR Permit No. 10372)  
Oxford Mining Company, Inc. (Page Surface Mine)  
Exhibit No. 5 of 13

**TABLE 1 - STREAM IMPACT/AVOIDANCE SUMMARY TABLE - Intermittent/Perennial Streams**

		PREFERRED ALTERNATIVE						MINIMAL DEGRADATION ALTERNATIVE				
Watershed	Stream Segment	QHE	Proposed Impact	Stationing	Impacted Length	Impacted Acres	Stationing	Impacted Length	Impacted Acres	Stationing	Total Stream Length Within Permit Limits with No Proposed Impacts	Total Stream Length Within Permit Limits
E	STREAM U	39.5	Stream Impacts as listed in BZVR Part 1									
			Coal Removal (BZ only)	G								
			Mine Runoff Transport	E	26+22 to 25+00	122	0.008					
			TDD (BZ only)	D	24+88 to 24+38	50	0.003					
			TSD	DD	24+38 to 24+25; 15+00 to 14+53	353	0.024	60				
			No Impacts Proposed									
			Temporary Pond 012	B	14+53 to 11+00							
			Temporary Pond 013 (BZ only)	B								
			Temporary Pond 012E (BZ only)	B	11+00 to 10+44							
			No Impacts Proposed									
			Haul Road (in channel & BZ affacement)	F	1+50 to 0+70	80	0.006					
			Haul Road (BZ only)	F								
			<b>TOTALS</b>			605	0.042	232	837	0	0.000	0
E	STREAM U1	42	TDD (BZ only)	D								
			Temporary Pond 012	B	2+80 to 0+00	280	0.013					
			No Impacts Proposed		3+38 to 2+80							
			<b>TOTALS</b>			280	0.013	58	338	0	0.000	0
E	STREAM U2		Coal Removal (BZ only)	G								
			Mine Runoff Transport	E	3+37 to 0+00	337	0.008					
			<b>TOTALS</b>			337	0.008	0	337	0	0.000	0
			Coal Removal (BZ only)	G								
E	STREAM V	44	TDD (BZ only)	D								
			<b>TOTALS</b>			0	0.000	0	0	0	0.000	0
			Coal Removal (BZ only)	G								
			Coal Removal	H	3+93 to 2+36	157	0.005					
I	STREAM W	43	Temporary Pond 029	B	2+36 to 0+90	146	0.005					
			TDD (BZ only)	D								
			No Impacts Proposed		0+90 to 0+64							
			<b>TOTALS</b>			303	0.010	26	329	0	0.000	0
I	STREAM Y	20	Temporary Pond 025	B	0+56 to 0+00	56	0.001					
			<b>TOTALS</b>			56	0.001	0	56	0	0.001	0
			Coal Removal (BZ only)	G								
			Mine Runoff Transport	E	3+41 to 1+67	174	0.006					
I	STREAM Z	27	Temporary Pond 029	B	1+67 to 0+34	133	0.005					
			TDD (BZ only)	D								
			No Impacts Proposed		0+34 to 0+13							
			<b>TOTALS</b>			307	0.011	21	328	0	0.000	0
B	U-15D-15		Temporary Pond 001 (BZ only)	B								
			<b>TOTALS</b>			0	0	0	0	0	0	0
		Total Linear Feet of Stream to be Impacted						MINIMAL DEGRADATION ALTERNATIVE				
		Total Acreage of Stream to be Impacted						PREFERRED ALTERNATIVE				
		Total Stream Length Within Permit Limits						PREFERRED ALTERNATIVE				
		Total Stream Length Within Permit Limits						MINIMAL DEGRADATION ALTERNATIVE				
		TDD = Temporary Diversion Ditch						PREFERRED ALTERNATIVE				
		TSD = Temporary Stream Diversion						MINIMAL DEGRADATION ALTERNATIVE				
		BZ = Buffer Zone						PREFERRED ALTERNATIVE				

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## STREAM IMPACT/AVOIDANCE SUMMARY TABLE - Ephemeral Streams

Watershed	Stream Segment	Proposed Impact	PREFERRED ALTERNATIVE			MINIMAL DEGRADATION ALTERNATIVE			
			Stationing	Impacted Length	Impacted Acres	Stream Length Within Permit Limits with No Proposed Impacts	Total Stream Length Within Permit Limits	Stationing	Impacted Length
G	EPH-3	No Impacts; Auger Only	1+33 to 0+00	0	0.000	133	133	0	0.000
G	EPH-4	No Impacts; Auger Only	0+02 to 0+00	0	0.000	2	2	0	0.000
		TOTALS							
E	EPH-5	Coal Removal	1+57 to 0+21	157	0.005				
		Mine Runoff Transport	0+21 to 0+00	21	0.001				
		TOTALS		178	0.006	0	178	0	0.000
E	EPH-6	Coal Removal	1+38 to 0+11	127	0.003				
		Mine Runoff Transport	0+11 to 0+00	11	0.000				
		TOTALS		138	0.003	0	138	0	0.000
E	EPH-9	Coal Removal	1+29 to 0+00	129	0.003				
		TOTALS		129	0.003	0	129	0	0.000
E	EPH-12	No Impacts; Auger Only	2+15 to 2+06	9					
		Coal Removal	2+06 to 0+00	206	0.005				
		TOTALS		206	0.005	0	206	0	0.000
E	EPH-13	No Impacts; Auger Only	0+22 to 0+00	0	0.000	22	22	0	0.000
		TOTALS		0	0.000	22	22	0	0.000
H	EPH-14	Coal Removal	0+88 to 0+00	88	0.003				
		TOTALS		88	0.003	0	88	0	0.000
H	EPH-16	Coal Removal	1+29 to 0+00	129	0.004				
		TOTALS		129	0.004	0	129	0	0.000
H	EPH-17	Coal Removal	1+31 to 0+00	131	0.003				
		TOTALS		131	0.003	0	131	0	0.003
									131
H	EPH-18	No Impacts; Auger Only	6+96 to 6+53	43					
		Coal Removal	6+53 to 6+67	286	0.007				
		Mine Runoff Transport	3+67 to 0+37	330	0.008				
		No Impacts Proposed	0+37 to 0+00	37					
		TOTALS		616	0.014	80	696	616	0.014
									696
E	EPH-21	Coal Removal	9+13 to 8+57	56	0.001				
		Mine Runoff Transport	8+57 to 2+26	631	0.014				
		Temporary Pond 015	2+26 to 0+64	162	0.004				
		No Impacts Proposed	0+64 to 0+00	64					
		TOTALS		849	0.019	64	913	0	0.000
F	EPH-22	Coal Removal	1+45 to 0+00	145	0.003				
		TOTALS		145	0.003	0	145	0	0.000
									0

## STREAM IMPACT/AVOIDANCE SUMMARY TABLE - Ephemerall Streams

Watershed	Stream Segment	Proposed Impact	PREFERRED ALTERNATIVE				MINIMAL DEGRADATION ALTERNATIVE			
			Stationing	Impacted Length	Impacted Acres	Stream Length Within Permit Limits with No Proposed Impacts	Total Stream Length Within Permit Limits	Stationing	Impacted Length	Impacted Acres
F	EPH-26	Coal Removal	1+14 to 0+00	114	0.003	0	114		0	0.000
		TOTALS		114	0.003	0			0	0
B	EPH-31	Mine Runoff Transport	3+86 to 2+20	166	0.004					
		Temporary Pond 001	2+20 to 0+23	197	0.005					
		No Impacts Proposed	0+23 to 0+00			23				
		TOTALS		363	0.008	23	386		0	0
C	EPH-32	Coal Removal	5+56 to 3+39	217	0.005					
		Mine Runoff Transport	3+39 to 0+20	319	0.007					
		No Impacts Proposed	0+20 to 0+0			20				
		TOTALS		536	0.012	20	556		0	0
C	EPH-33	Coal Removal	4+25 to 0+29	396	0.009					
		No Impacts Proposed	0+29 to 0+00			29				
		TOTALS		396	0.009	29	425		0	0
C	EPH-34	Coal Removal	1+82 to 0+11	171	0.006					
		Mine Runoff Transport	0+11 to 0+00	11	0.000					
		TOTALS		182	0.006	0	182		0	0
C	EPH-35	No Impacts; Auger Only	1+51 to 0+61		90					
		Coal Removal	0+61 to 0+00	61	0.002					
		TOTALS		61	0.002	90	151		0	0
C	EPH-36	No Impacts; Auger Only	1+81 to 1+60		21					
		Coal Removal	1+60 to 0+00	160	0.006					
		TOTALS		160	0.006	21	181		0	0
C	EPH-37	No Impacts; Auger Only	4+24 to 4+06		18					
		Coal Removal	4+06 to 0+00	406	0.016					
		TOTALS		406	0.016	18	424		0	0
C	EPH-38	Coal Removal	3+60 to 1+61	200	0.006					
		Mine Runoff Transport	1+61 to 0+00	161	0.005					
		TOTALS		361	0.010	0	361		0	0
D	EPH-39	Mine Runoff Transport	3+63 to 1+40	223	0.005					
		Temporary Pond 007	1+40 to 0+27	113	0.003					
		No Impacts Proposed	0+27 to 0+0			27				
		TOTALS		336	0.008	27	363		0	0
D	EPH-41	Coal Removal	7+10 to 6+11	99	0.002					
		Mine Runoff Transport	6+11 to 2+72	339	0.008					
		Temporary Pond 006	2+72 to 0+43	239	0.005					
		No Impacts Proposed	0+43 to 0+00			43				

## STREAM IMPACT/AVOIDANCE SUMMARY TABLE - Ephemeral Streams

Watershed	Stream Segment	Proposed Impact	PREFERRED ALTERNATIVE			MINIMAL DEGRADATION ALTERNATIVE			
			Stationing	Impacted Length	Impacted Acres	Total Stream Length Within Permit Limits with No Proposed Impacts	Stationing	Impacted Length	Impacted Acres
D	EPH-41A	Coal Removal	1+20 to 0+32	88	0.002	710	1+20 to 0+32	88	0.002
		Mine Runoff Transport	0+32 to 0+90	32	0.001	0	0+32 to 0+00	32	0.001
		TOTALS	667	0.015	43	120	0.003	0	0
E	EPH-42	Coal Removal	1+15 to 0+16	99	0.002				
		Mine Runoff Transport	0+16 to 0+90	16	0.000	0			
		TOTALS	115	0.003	0	115	0	0.000	0
E	EPH-44	Coal Removal	2+39 to 1+45	94	0.002				
		Mine Runoff Transport	1+45 to 0+00	145	0.003	0			
		TOTALS	239	0.005	0	239	0	0.000	0
E	EPH-45	Coal Removal	2+77 to 1+22	155	0.003				
		Mine Runoff Transport	1+22 to 0+00	122	0.002	0			
		TOTALS	277	0.005	0	277	0	0.000	0
E	EPH-46	Mine Runoff Transport	7+12 to 3+26	386	0.009				
		No Impacts Proposed	3+26 to 0+32	294					
		Temporary Pond 012	0+32 to 0+40	32	0.001				
		TOTALS	418	0.010	294	712	0	0.000	0
I	EPH-47	Coal Removal	3+77 to 0+00	377	0.013	0	3+77 to 0+00	377	0.013
		TOTALS	377	0.013	0	377	0	0	377
A	EPH-50	Mine Runoff Transport	0+81 to 0+59	22	0.001	59	0+81 to 0+59	22	0.001
		No Impacts Proposed	0+59 to 0+00	0			0+59 to 0+00	0	
		TOTALS	22	0.001	59	81	22	0.001	59
A	EPH-51	Mine Runoff Transport	0+94 to 0+62	32	0.001		0+94 to 0+62	32	0.001
		No Impacts Proposed	0+62 to 0+00	62			0+62 to 0+00	62	
		TOTALS	32	0.001	62	94	32	0.001	62
H	EPH-52	Coal Removal	1+64 to 0+00	164	0.004	0	1+64 to 0+00	164	0.004
		TOTALS	164	0.004	0	164	0	0	164
H	EPH-53	No Impacts: Auger Only	2+52 to 1+45	107			2+52 to 1+45	107	
		Coal Removal	1+45 to 0+00	145	0.004	107	1+45 to 0+00	145	0.004
		TOTALS	145	0.004	107	252	145	0.004	107
I	EPH-54	Coal Removal	5+80 to 3+12	268	0.006		5+80 to 3+12	268	0.006
		Mine Runoff Transport	3+12 to 2+10	102	0.002		3+12 to 2+10	102	0.002
		Temporary Pond 026	2+10 to 0+00	210	0.005		2+10 to 0+00	210	0.005
		TOTALS	580	0.013	0	580	0.013	0	580
		Coal Removal	5+78 to 4+26	152	0.003		5+78 to 4+26	152	0.003

## STREAM IMPACT/AVOIDANCE SUMMARY TABLE - Ephemeral Streams

		PREFERRED ALTERNATIVE				MINIMAL DEGRADATION ALTERNATIVE					
Watershed	Stream Segment	Proposed Impact	Stationing	Impacted Length	Impacted Acres	Stream Length Within Permit Limits with No Proposed Impacts	Total Stream Length Within Permit Limits	Stationing	Impacted Length	Impacted Acres	Stream Length Within Permit Limits with No Proposed Impacts
D	Mine Runoff Transport	4+26 to 1+42	284	0.007		4+26 to 1+42	284	0.007			
	Temporary Pond 006	1+42 to 0+78	64	0.001		1+42 to 0+78	64	0.001			
	No Impacts Proposed	0+78 to 0+00		78		0+78 to 0+00					78
	<b>TOTALS</b>		500	0.011	78	578		500	0.011	78	578
I	EPH-56	Spoil Blending	0+00 to 4+50	450	0.010		0+00 to 4+50	450	0.010		450
		<b>TOTALS</b>		450	0.010	0	450		450	0.010	0
		Total Linear Feet of Stream to be Impacted	9,630				4,289		4,289		
		Total Acreage of Stream to be Impacted	0.243				0.105		0.105		
		Total Stream Length Within Permit Limits with No Proposed Impacts		1,172						456	
		Total Stream Length Within Permit Limits				10.802					4,725

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Tables 3 and 4

**TABLE 3 - SUMMARY OF IMPACT/AVOIDANCE OF DELINEATED WETLANDS THROUGH MINE PLANNING (INCLUDING NON-JURISDICTIONAL PIT WETLANDS)**

IDENTIFICATION	ACRES	ACRES PROPOSED TO BE IMPACTED	% OF WETLAND ACREAGE PROPOSED TO BE IMPACTED	% OF WETLAND ACREAGE AVOIDED THROUGH MINE PLANNING
WD-1 *	0.11	0.00		
WD-2	0.15	0.15		
WD-3 **	0.14	0.14		
WD-4 **	0.35	0.35		
WD-6	0.03	0.00		
WD-9	0.08	0.08		
WD-10	0.26	0.00		
WD-11	0.29	0.00		
WD-12	0.19	0.00		
WD-13	0.03	0.03		
WD-14	0.43	0.43		
	2.06	1.18		
				57.28%
				42.72%

\* Non-Jurisdictional

\*\* Non-Jurisdictional Pit Wetlands

**TABLE 4 - SUMMARY OF IMPACT/AVOIDANCE OF JURISDICTIONAL WETLANDS THROUGH MINE PLANNING (EXCLUDING NON-JURISDICTIONAL PIT WETLANDS)**

IDENTIFICATION	ACRES	ACRES PROPOSED TO BE IMPACTED	% OF WETLAND ACREAGE PROPOSED TO BE IMPACTED	% OF WETLAND ACREAGE AVOIDED THROUGH MINE PLANNING
WD-1	0.11	0.00		
WD-2	0.15	0.15		
WD-6	0.03	0.00		
WD-9	0.08	0.08		
WD-10	0.26	0.00		
WD-11	0.29	0.00		
WD-12	0.19	0.00		
WD-13	0.03	0.03		
WD-14	0.43	0.43		
	1.57	0.89		
				43.95%
				56.05%

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**OEPA Wetland and Open Water Summary Table**

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Id #	ORAM Score	Total acres on-site	Proposed (Preferred) Alternative (acres)					Actual (Minimal Degradation) Alternative (acres)						
			Impact		Avoidance			Impact		Avoidance				
			Estimated	Actual	Total Impact	Estimated	Actual	Total Impact	Estimated	Actual	Total Impact	Estimated	Total Avoided	
WD-3	18.5	0.14		0.14	0.14				0.14	0.14				
WD-4	16	0.35		0.35	0.35				0.35	0.35				
<b>Total</b>		<b>0.49</b>		<b>0.49</b>	<b>0.49</b>				<b>0.49</b>	<b>0.49</b>				
WD-13	24.5	0.03		0.03	0.03							0.03	0.03	
<b>Total</b>		<b>0.03</b>		<b>0.03</b>	<b>0.03</b>							<b>0.03</b>	<b>0.03</b>	
WD-2	33.5	0.15		0.15	0.15							0.15	0.15	
WD-9	35	0.08		0.08	0.08				0.08	0.08				
WD-14	33.5	0.43		0.43	0.43				0.43	0.43				
<b>Total</b>		<b>0.66</b>		<b>0.66</b>	<b>0.66</b>				<b>0.66</b>	<b>0.66</b>				
<b>Total</b>														
<b>Grand Total</b>		<b>1.18</b>		<b>1.18</b>	<b>1.18</b>				<b>1.00</b>	<b>1.00</b>			<b>0.18</b>	<b>0.18</b>
<b>Acres to be Mitigated</b>		<b>0.69</b>		<b>0.69</b>	<b>0.69</b>				<b>0.51</b>	<b>0.51</b>				
<b>Open Waters</b>		<b>5.64</b>		<b>5.09</b>	<b>5.09</b>				<b>0.55</b>	<b>3.88</b>				<b>1.76</b>

Oxford Mining Company, Inc. - Page Application  
Table 6

**Table 6 - Summary of Impact/Avoidance of Streams Through Mine Planning**

<b>DELINEATED STREAMS</b>			
<b>Stream Designation</b>	<b>Linear Feet</b>		
Delineated Jurisdictional Intermittent	23,872		
Delineated Isolated Intermittent	1,676		
Delineated Jurisdictional Perennial	0		
Delineated Jurisdictional Ephemeral	12,535		
Delineated Isolated Ephemeral	631		
<b>TOTAL DELINEATED</b>	<b>38,714</b>		
<b>PERMITTED STREAMS</b>			
<b>Stream Designation</b>	<b>Linear Feet</b>	<b>Percentage of Total Delineated to be Permitted</b>	<b>Percentage of Total Delineated to be Avoided</b>
Intermittent Stream Length Within Permit Limits	19,852		
Ephemeral Stream Length Within Permit Limits	10,802		
<b>TOTAL LENGTH WITHIN PERMIT LIMITS</b>	<b>30,654</b>	<b>79.18%</b>	<b>20.82%</b>
<b>IMPACTED STREAMS</b>			
<b>Stream Designation</b>	<b>Linear Feet</b>	<b>Percentage of Total Delineated to be Impacted</b>	<b>Percentage of Total Delineated to be Avoided</b>
Intermittent Stream Length to be Impacted	15,248		
Ephemeral Stream Length to be Impacted	9,630		
<b>TOTAL LENGTH TO BE IMPACTED</b>	<b>24,878</b>	<b>64.26%</b>	<b>35.74%</b>

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